

REMARKS

The present invention relates to an ink for inkjet recording, and an ink set comprising said ink, wherein the ink comprises a specific type of dye.

In the Office Action of April 28, 2005, claims 1-11 were rejected. First, claims 1-11 were rejected under 35 U.S.C. § 112, first paragraph based on the Examiner's position that the specification is enabling for a dye as defined in claim 4, with the Examiner therefore suggesting the incorporation of claim 4 into claim 1 to overcome the rejection. Next, provisional obviousness-type double patenting rejections were made with respect to various claims of the present application based on various claims of U.S. Application Nos. 10/342,177, 10/368,474, 10/645,797, 10/806,424, and 10/645,795. Furthermore, claims 1-9 were rejected under 35 U.S.C. § 102(e) based on U.S. Patent Publication No. 2003/0213405 (Hirata et al). Claims 1-11 were rejected under 35 U.S.C. § 102(e) based on U.S. Patent Publication No. 2004/0020408 (Yabuki), based on U.S. Patent Publication No. 2004/0053988 (Taguchi et al '988), and under 35 U.S.C. § 102(e) based on U.S. Patent Publication No. 2004/0050291 (Taguchi et al '291).

In response to the Office Action, first, Applicants have amended claim 1 to incorporate claim 4 in accordance with the Examiner's suggestion, thereby obviating the rejection under 35 U.S.C. § 112. Consistent therewith, and to avoid claim redundancy, claims 6, 8, and 11 have

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 10/671,529

been canceled. It is therefore respectfully submitted that the rejection under 35 U.S.C. § 112, first paragraph, should be withdrawn.

With respect to the obviousness-type double patenting rejections, Applicants submit herewith a Terminal Disclaimer executed by Mr. Kazuyoshi Hoshi, a responsible official of Fuji Photo Film Co., Ltd. empowered to act on behalf of the Petitioner. Based thereon, it is respectfully submitted that the obviousness-type double patenting rejections have been obviated, and should now be withdrawn.

With respect to the four prior art rejections under 35 U.S.C. § 102(e), Applicants submit herewith a verified translation of priority document Japanese Patent Application No. 2002-285610, filed September 30, 2002, establishing Applicants right to said priority date, and thereby obviating the several rejections made under 35 U.S.C. § 102(e). Accordingly, withdrawal of the rejections under 35 U.S.C. § 102(e) is respectfully submitted to be proper.

In view of the foregoing Amendments to the claims, the attached Terminal Disclaimer and the attached verified translation of the priority document, Applicants respectfully submit that remaining claims 1-3, 5, 7, 9, and 10 are now in condition for immediate allowance.

Early favorable action is earnestly solicited.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 10/671,529

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the local Washington, D.C. telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

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Date: August 29, 2005